

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

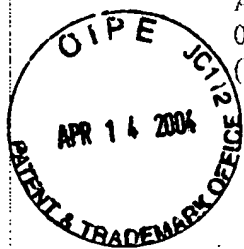
Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**



ATTORNEY DOCKET
016295.1470
(DC-05374)

PATENT APPLICATION

1

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; that I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention or design entitled *Method, System and Software for Allocating Information Handling System Resources in Response to High Availability Cluster Fail-Over Events*, the specification of which (check one):

X is attached hereto; or

_____ was filed on _____ as

Application Serial No. _____

and was amended on _____ (if applicable);

that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Number</u>	<u>Country</u>	<u>Date Filed</u>	<u>Priority Claimed (Yes)(No)</u>
None			

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37

ATTORNEY DOCKET
016295.1470
(DC-05374)

PATENT APPLICATION

2

C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Application Serial Number</u>	<u>Date Filed</u>	<u>Status</u>
None		

I hereby appoint:

Henry Garrana	Reg. No. 27,887
Anthony E. Peterman	Reg. No. 38,270
Chad Anson	Reg. No. 44,510

of Dell Computer Corporation, and the following:

Practitioners at Customer Number 23640,

23640

23640

PATENT TRADEMARK OFFICE

all of the firm of Baker Botts L.L.P., my attorneys and/or patent agents with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Customer No. 23640
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana
Houston, Texas 77002-4995

Direct Telephone Calls To:

Brian A. Dietzel
at 512.322.2674
Attorney Docket 016295.1470

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

ATTORNEY DOCKET
016295.1470
(DC-05374)

PATENT APPLICATION

3

Full name of the First Inventor

Ananda Chinnaiah Sankaran

Inventor's Signature:



Date:

12/29/2003

Residence (City, County, State):

Austin, Travis County, Texas

Citizenship:

India

Post Office Address:

12800 Harrisglenn Dr., #535

Austin, Texas 78753

Full name of the Joint Inventor:

Peyman Najafirad

Inventor's Signature:

Date:

Residence (City, County, State):

Austin, Travis County, Texas

Citizenship:

United States of America

Post Office Address

13520 Oregon Flat Trail

Austin, Texas 78727

Full name of the Joint Inventor:

Mark Tibbs

Inventor's Signature:

Date:

Residence (City, County, State):

Austin, Williamson County, Texas

Citizenship:

United States of America

Post Office Address

9400 W. Parmer Lane, Apartment 731

Austin, Texas 78717